

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

JOHN G. PEDICINI,

Plaintiff,

-vs-

UNITED STATES OF AMERICA  
ET AL.,

Defendants.

CIVIL ACTION NO. 04-12395-JLT

PLAINTIFF'S OBJECTION TO THE PRESENTATION AT TRIAL OF  
PAGES 14 AND 15 OF JOHN GHIORZI'S TESTIMONY VIA DEPOSITION  
TRANSCRIPT

Plaintiff, John G. Pedicini, hereby objects to the  
Defendants' request, pursuant to Fed. R. Civ. P.

26(a)(3)(B), for presentation at trial of John Ghiorzi's  
testimony on pp.14-15. Plaintiff asserts that these pages  
are filled with highly objectionable information.

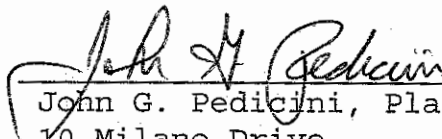
Specifically, Ghiorzi's testimony alleges that there is  
something wrong with Plaintiff's conduct and alleges that  
Plaintiff "stood by the door" at a meeting. Plaintiff  
categorically denies this version of the meeting. More  
importantly, Plaintiff's conduct is not an issue in this  
case. It is highly prejudicial, irrelevant, and immaterial

to the issues remaining at trial. Furthermore, Defendants have admitted in their pleadings that Plaintiff's job performance has been rated "superior". See Defendants' Answer To Plaintiff's Amended Complaint ¶¶45,80. This is nothing more than an attempt by Defendants to "color" the jury's perception of Plaintiff's character at the 11<sup>th</sup> hour of this case and is also objectionable under Federal Rules of Evidence Rule 404.

#### CONCLUSION

Therefore, Plaintiff respectfully requests that this Court exclude the above-referenced portion of Ghiorzi's testimony, pp. 14-15, whether live or by deposition, from evidence at trial.

Respectfully submitted,

  
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John G. Pedicini, Plaintiff Pro Se  
10 Milano Drive  
Saugus, MA 01906  
781-248-1385

8/2/07  
Date

CERTIFICATION UNDER L.R. 7.1

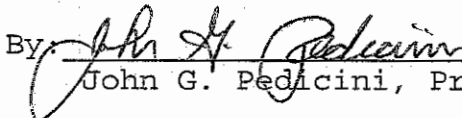
I certify that in accordance with Local Rule 7.1, I have conferred with Defendants' counsel and have attempted in good faith to resolve the issues addressed in this Motion on August 2, 2007 and that we were unable to resolve the issues set forth in this motion.

  
John G. Pedicini, Pro Se

8/2/07  
Date

CERTIFICATION OF SERVICE

Pursuant to L.R.5.2(b), I hereby certify that a true copy of the above document was served on the Defendants on August 2, 2007, via U.S. Government email system to: Gina Walcott-Torres, Assistant U.S. Attorney, Moakley Courthouse, 1 Courthouse Way, Suite 9200, Boston, MA 02210.

By:   
John G. Pedicini, Pro Se

8/2/07  
Date